

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THOMAS JERMYN, on behalf of himself :  
and all others similarly situated, :  
Plaintiff, : CIVIL ACTION NO. 08 CV 00214  
-against- : ECF ACTION  
BEST BUY STORES, L.P., : **DEFENDANT BEST BUY STORES,**  
Defendant. : **L.P.'S STATEMENT OF COMPLIANCE**  
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Defendant Best Buy Stores, L.P. ("Best Buy") hereby files its Statement of Compliance per Paragraph No. 6 of Judge McMahon's Rules Governing Electronic Discovery ("Rules"). Best Buy represents that it has made every reasonable effort to comply with Paragraph No. 6 of the Rules within the Court's expedited scheduling deadlines and will continue to do so. Best Buy states that per correspondence dated April 1, April 23, April 24, and May 8, 2008, as well as additional communications with Plaintiff's counsel, it has apprised Plaintiff of its attempts to comply with the Rules and provided a proposed superseding ESI agreement to which Plaintiff objected and declined to negotiate.

DATED: June 5, 2008

**ROBINS, KAPLAN, MILLER & CIRESI L.L.P.**

By: s/ Jennifer G. Daugherty  
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BEST BUY STORES, L.P.

**CERTIFICATE OF SERVICE**

Case Name: **THOMAS JERMYN**, on behalf of himself and all others similarly situated v.  
**BEST BUY STORES, L.P.**

Court File No: **08-00214**

I hereby certify that on June 5, 2008, I electronically filed the foregoing documents: DEFENDANT BEST BUY STORES, L.P.'S (RE-FILED) STATEMENT OF COMPLIANCE, and this Certificate of Service with the Clerk of Court using the CM/ECF System, which shall send notification of such filing to the following:

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In addition, all of the preceding documents were served first-class mail this 5th day of June upon the following:

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